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*Copy from the copy
of the translation*

Verbal Note

~~Verbal note delivered on February 13, 1933 by
Sugiesada by the order of Hirota Foreign Ministry
to the Plenipotentiary~~

The note delivered on January 4 to the Foreign minister by the Soviet ambassador in reply to the verbal note of December 13 last year presented by the Foreign Minister to the ambassador on the question of the conclusion of a non-aggression pact between Japan and the USSR, which was proposed by the Soviet Government, contains an argument based on the misinterpretation of the viewpoint of the Japanese Government; besides, it contains expressions hardly desirable in view of the interests of the friendly relations between both countries. In the course of conversation between the Vice-Foreign Minister and His Excellency which took place after that the former brought this fact to the attention of the Ambassador and recommended that the Soviet Government should pay its serious attention to it.

The Japanese government feels it necessary to take the advantage of this new opportunity to propose that the Soviet Government further deliberate this problem.

In the note of the Soviet government dated January 4 it is stated that, "the consistent development of this argument, will inevitably result in the complete negation both of the idea of non-aggression pacts and those contained in the Kellogg-Briand pact," and that "the Japanese Government evidently believes that the conclusion of non-aggression agreements is pertinent only between the two states which have no controversies." To refute this idea the Japanese government can only insist upon the Soviet Government's thorough deliberation of the statement contained in the verbal note of the Japanese Government which reads: "To sum up, the formal beginning of the negotiations between the two governments in this case seems to be untimely," and "it will be preferable to try and achieve the solution of various problems facing both nations: as to the negotiations mentioned above, it will be better to wait for a while and take time until the proper conditions are created."

The statement contained in the Soviet note to the effect that "the Solution of now existing disputes does not prevent from breaking out new ones in the future, particularly if the policy of the state develops along the line of aggression and extension of its sphere of influence," attracted most serious attention of the Japanese Government.

The Japanese Government accepts the explanation of the Soviet Ambassador to the effect that the phrase "the country" did not imply Japan. Need it be said that following the dictates of her constant feeling of justice, Japan has no designs of armed aggression. Indeed, we must say that in the above verbal note the Japanese Government maintained that "It is clear both from the basic agreement between the two states and from all that has taken place since the conclusion of same, that Japan and the Soviet Union are mutually ready to scrupulously respect the Sovereign rights of one another and punctually refrain from any violation of each others border."

It is necessary to add that the Soviet Government published the details of the negotiation prior to having received an acquiescence of the Japanese Government. As a matter of principle the Japanese Government had no objections to this being published since the Government of the USSR would consider it necessary to do so, as vice-Foreign Minister made clear to the Soviet Ambassador. But the fact is that the Soviet Government unexpectedly did it though no definite agreement of the opinions of both governments had been effected as to the time and methods of publishing.

This step on the part of the Soviet Government, contradictory to the international custom, took the Japanese Government un-awares and it must confess, that it finds it difficult to understand what considerations made the Soviet Government do so.

Delivered February 13, 1933 by Sugeshida, Director of the First Section of the European-American Department p. proc. Foreign Minister Uchida to Counsellor of the Soviet Embassy Spilvanek to be forwarded to the Ambassador.

The copy is correct: Director of the State Central Record office of the USSR.

Professor Maksakov.

May 21/1946

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, Kaplan, B.A., hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document .

Signature s/ V. Kaplan

C E R T I F I C A T E

I, Lt. Colonel TARANENKO G. I., a member of the military forces of the U. S. S. R., do hereby certify that copy of the translated text of the Verbal note delivered on February 13, 1933 by Sugessida by the order of Uchida Foreign Ministry to the counsellor of the Embassy for delivery to the Plenipotentiary, on 3 sheets was delivered to me by the Foreign Ministry of the U.S.S.R. on or about June 7, 1946, and that the original of the said document may be found in the State Central Record Office in Moscow.

I do further certify _____

(signed) Lt. Col. Taranenko
(Signature and rank.)

Tokyo, Japan,
July 2, 1946.